

State of Colorado



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**Department of Personnel
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MEMORANDUM

To: Larry Friedberg, Manager
State Buildings & Real Estate Programs

From: Joi E. Simpson, Personal Services Contracts 

Date: June 2, 2003

Subject: Personal Service Program Waiver for Design and Construction Services

The Personal Services Program Waiver for design and construction contracts for various departments/institutions (see attached list) is approved. Successive waiver of review of individual agreements for **Capital Construction & Controlled Maintenance** services including "as-needed" architect/engineer/consultant services, and all associated contract modifications, e.g., change orders, formal amendments and supplementals, is hereby granted through **May 31, 2006**. The approval basis is CRS 24-50-504 (2)(c&h).

Please share this information with all affected administrators along with a reminder of the conditions and requirements of this waiver. A copy of this memo must accompany all contracts and contract modifications that meet parameters established within this waiver.

Waiver Conditions:

- 1) All funds appropriated from the State Capital Construction fund shall be used for their intended purpose. State agencies shall not use Capital Construction funds to pay or reimburse state employees for construction management, administrative activities, direct labor performed, or any other expense outside the scope of the Capital Construction or Controlled Maintenance Project.

- 2) Each agency/institution is required to use State Buildings and Real Estate Programs' (SBREP) standard forms and is not allowed to modify these types of contracts without the approval of State Buildings.
- 3) For "as needed" architect/engineer consulting services, all participating agencies shall follow the SBREP "Policies and Procedures" and copy SBREP on all work authorizations.
- 4) Personal services agreements that directly impact the state's personnel system must be forwarded to the Personal Services Contracts Review Program (DPA) for review and approval. If an agency is not sure of the impact on the state's workforce, a *Certification for Personal Services Agreements* form must be completed along with a scope of work, and forwarded to this office for review.

IMPORTANT AGENCY INSTRUCTIONS (please read carefully):

This waiver of successive approval is limited to the above listed services, number of vendors and dollar amounts associated with each category, as well as other waiver conditions. If this waiver does not cover a particular service(s), the agency will need to submit individual agreements along with the Certification for Personal Services Agreements form to this program for review and approval. In addition, this waiver is valid for these agreements, as long as, the acquisition of these services does not cause the separation of state classified staff.

As necessary, please attach a copy of this document to each of the above listed agreements if routed to other external approvers (Division of Purchasing/State Buildings, Attorney General's Office, State Controller's Office). Your duty pursuant to CRS Section 24-50-510 to list these personal services agreements in your Annual Report is not suspended by the granting of this waiver. In addition, all personal services agreements must contain the mandatory independent contractor clause listed in the Director's Procedures (P10-1-11).

In addition, all commitment vouchers issued under this waiver must comply with State Fiscal Rules, State Procurement Rules and the Capital Construction Accounting Guidelines. Furthermore, all statutes governing Capital Construction and all policies issued by the State Controller's Office and State Division of Purchasing concerning the use of purchase orders and contracts must be followed. Fiscal Rules that specifically apply to the use of purchase orders and contracts are rules 2-2, 2-10, 3-1 and 4-1.

Periodically, the Department of Personnel will conduct an audit to review compliance with this waiver. By granting this waiver request, your agency/institution agrees to provide the documentation requested by the department's representative. Furthermore, the Department of Personnel reserves the right to revoke this waiver of successive approval if your agency/institution fails to adhere to all conditions and requirements of this waiver.

Dept. of Public Health & Environment
4300 Cherry Creek Dr. South
Denver, CO 80222-1530

Department of Corrections
2862 S. Circle Drive, Suite 400
Colorado Springs, CO 80906

Department of Transportation
4201 E. Arkansas Avenue
Denver, CO 80222

University of Colorado at Boulder
Stadium 255, Campus Box 53
Boulder, CO 80309-0053

Colorado Historical Society
1300 Broadway
Denver, CO 80203

Colorado Northwestern Community College
500 Kennedy Drive
Rangely, CO 81648

Department of Public Safety
700 Kipling
Lakewood, CO 80215

Community Colleges of Colorado System
(includes all community colleges)
9101 E. Lowry Boulevard, Room 240
Denver, CO 80230

Department of Military and Veterans Affairs
6848 S. Revere Parkway
Englewood, CO 80112-6703

Department of Agriculture
700 Kipling Street
Lakewood, CO 80215-5894

University of Colorado Colorado Springs
1420 Austin Bluffs Parkway
Bldg. MH, Room 232
PO Box 7150
Colorado Springs, CO 80907

Judicial Department
East 14th Avenue
Denver, CO 80203

Colorado State Fair
1001 Beulah
Pueblo, CO 81004
1027 9th Street

Department of Natural Resources
1313 Sherman Street
Denver, CO 80203

Colorado School for the Deaf and the Blind
33 N. Institute Street
Colorado Springs, CO 80903

Auraria Higher Education Center
Campus Box D
Denver, CO 80217-3361

Colorado State University-Pueblo
2200 North Bonforte Boulevard
Pueblo, CO 81001-4901

Adams State College
208 Edgemont Boulevard
Alamosa, CO 81102

Colorado State University
Services Center North
Ft. Collins, CO 80523

University of Northern Colorado
Greeley, CO 80639

Department of Human Services
4130/32 S. Julian Way
Denver, CO 80236

Western State College
Facilities Services
100 Maintenance Drive
Gunnison, CO 81231

University of Colorado Health Sciences Center
4200 E. 9th Avenue Box A-059
Denver, CO 80262

Colorado School of Mines
Golden, CO 80401

Ft. Lewis College
Durango, CO 81301

Mesa State College
1175 North Avenue
Grand Junction, CO 81501

Department of Revenue
1575 Sherman Street
Denver, CO 80203

State Buildings and Real Estate Programs
1525 Sherman Street
Denver, CO 80203